

for Aviation and International Affairs, received in the office of the President of the Senate on April 13, 2016; to the Committee on Commerce, Science, and Transportation.

EC-5157. A communication from the Attorney-Advisor, Office of General Counsel, Department of Transportation, transmitting, pursuant to law, a report relative to a vacancy in the position of Administrator, Federal Transit Administration, Department of Transportation, received in the Office of the President of the Senate on April 13, 2016; to the Committee on Commerce, Science, and Transportation.

PETITIONS AND MEMORIALS

The following petitions and memorials were laid before the Senate and were referred or ordered to lie on the table as indicated:

POM-147. A resolution adopted by the House of Representatives of the State of Kansas urging the federal government to require the use of sound science in evaluating crop protection chemistries and nutrients; to the Committee on Agriculture, Nutrition, and Forestry.

HOUSE RESOLUTION NO. 6045

Whereas, Agriculture is crucial to the continued production of food, feed, fiber and energy to meet both domestic and global demand; and

Whereas, In the United States, the agriculture and value-added industries and businesses utilize precision farming equipment, crop protection chemistries, genetic engineering or enhancement, agricultural nutrients and other modern technologies. Such advanced practices protect the safety of the public and reduce environmental and natural resource impacts, while increasing yields, improving profitability and ensuring an abundant, affordable and wholesome food supply; and

Whereas, Agricultural production systems and crop protection are among the most studied and highly regulated of all industries, at both the state and federal levels. The use of sound science should be the bedrock of our nation's regulatory scheme for the agriculture and food production industries, as these industries are critical to the economic vitality of Kansas and the United States: Now, therefore, be it

Resolved, By the House of Representatives of the State of Kansas: That we support the use of sound science to study and regulate modern agricultural technologies such as crop protection chemistries and genetically engineered or enhanced traits and nutrients; and be it further

Resolved, That we oppose legislative or regulatory action at any level that may result in unnecessary restrictions on the use of modern agricultural technologies.

POM-148. A concurrent resolution adopted by the Legislature of the State of Kansas urging the President of the United States to obey the United States Constitution and declare that the detention facility at Naval Station Guantanamo Bay will remain; to the Committee on Armed Services.

HOUSE CONCURRENT RESOLUTION NO. 5024

Whereas, The President of the United States, Barack Obama, has threatened to move the terrorist detainees currently held at Naval Station Guantanamo Bay to Fort Leavenworth without regard to the wishes or the safety of the people of Kansas; and

Whereas, The President has threatened to close the detention facility at Naval Station Guantanamo Bay; and

Whereas, The threat of the transfer has been underscored by visits to Fort Leaven-

worth by officials of his Administration, preparing for the threatened transfer; and

Whereas, Many detainees that have been released have continued to fight against this country and its allies; and

Whereas, This President and others have insisted that the mere existence of the detention facility at Guantanamo has inflamed terrorists around the world and aided in their recruitments; and

Whereas, Transferring the detainees to Fort Leavenworth will only transfer the ire of terrorists worldwide from Guantanamo to Fort Leavenworth; and

Whereas, This President has a demonstrated willingness to violate American law; and

Whereas, This President has said that he will go around the Congress to accomplish his agenda; and

Whereas, Closing the Naval Station at Guantanamo has been high on this President's agenda since before he was first elected; and

Whereas, The President has continually sought to weaken our standing in the world; and

Whereas, The terrorists have demonstrated an ability and willingness to conduct attacks in America, in furtherance of their savage war against America; and

Whereas, Detonating large bombs in civilian communities in the vicinity of Fort Leavenworth would be exactly the sort of demonstration that the terrorists would try; and

Whereas, Fort Leavenworth does not have the necessary facilities to hold and care for the detainees and would, for example, be forced to transport them through the city of Leavenworth to access medical care, thereby presenting additional soft, tempting targets for attacks; and

Whereas, The surrounding community does not have the law enforcement, emergency response resources or the physical capability to harden potential civilian targets in the surrounding area. Transferring detainees to Fort Leavenworth represents a predictable, direct and unnecessarily high risk to American citizens in the vicinity of Fort Leavenworth; and

Whereas, The Naval Station at Guantanamo is a high security facility designed to both house high risk detainees and be secure from attack by external forces. This facility has not been the object of an external terrorist attack and, if it had been attacked, it would not have represented a threat to American civilians or communities; and

Whereas, The intentional placement of detainees on American soil, physically within an American community, would unnecessarily and intentionally put American citizens at much greater risk. It follows that any move by the President or other members of the Federal, State or local government to move the detainees to Fort Leavenworth would mean intentionally and knowingly placing American citizens at greater risk, in violation of the government's sworn oath to support and defend them against enemies, foreign or domestic; and

Whereas, Officers from over one hundred countries attend classes at Fort Leavenworth; and

Whereas, Many of these officers would not bring their families nor be permitted by their countries to attend, if the detainees were transferred to Fort Leavenworth, thereby hurting the local economy; and

Whereas, These officers and their families represent an important bond and link among our nations. Their loss will not just affect the local economy, but would potentially have grave impacts on our future ability to effectively and successfully find peaceful solutions to international problems: Now, therefore, be it

Resolved by the House of Representatives of the State of Kansas, the Senate concurring therein, That the Legislature of the State of Kansas urges the President of the United States to obey the Constitution of the United States and the laws of this country, the people of which have placed him in a position of great trust and responsibility and depend upon him to ensure that the laws be upheld and that their security be maintained; and be it further

Resolved, That the President must declare that the detention facility at Naval Station Guantanamo Bay will remain, and that the detainees will continue to be held there, until said detainees are given proper, lawful disposition, in accordance with the Laws of War and the best interests of the safety of the people of the United States and their allies.

POM-149. A resolution adopted by the Senate of the Commonwealth of Pennsylvania urging the United States Congress to modernize the federal cap on the locally set Passenger Facility Charges user fee by setting it at \$8.50 and adjusting it periodically to offset the impacts of inflation; to the Committee on Commerce, Science, and Transportation.

SENATE RESOLUTION NO. 261

Whereas, In 2010, the Commonwealth of Pennsylvania's public use airports supported approximately 304,000 jobs, generated \$9.2 billion in annual payroll and produced \$23.6 billion in annual economic activities; and

Whereas, In 1990, the Congress of the United States authorized Passenger Facility Charges (PFCs), local user fees collected for every boarded passenger, to help airports of all sizes meet their capital needs to finance Federal Aviation Administration (FAA) approved projects such as terminals, parking and multimodal projects that enhance safety, security, capacity, noise reduction or increase air carrier competition; and

Whereas, PFCs are locally determined fees collected at the point of sale, which do not affect Federal expenditures; and

Whereas, The PFC cap was last raised in 2000 when Congress set it at \$4.50; and

Whereas, Inflation has eroded the buying power of PFCs by approximately one-half since then due to rising construction costs; and

Whereas, There is a growing recognition of the need for infrastructure finance and funding to keep pace with inflation and action for doing so such as the act of November 25, 2014 (P.L. 974, No. 89) in the Commonwealth of Pennsylvania; and

Whereas, Modernizing the PFC cap to \$8.50 now and indexing it for inflation would restore its original purchasing power and provide local communities with the ability to set their individual PFC user fees based on locally determined needs for ensuring the safety and security of their airports; and

Whereas, Over the next five years, airports will require more than \$75 billion to improve infrastructure to prevent passenger delays and congestion; and

Whereas, Direct Federal funding through the FAA Airport Improvement Program has declined 10% over the past six years and covers only a fraction of the total infrastructure projects required to upgrade and maintain the world-class aviation system: Now, therefore, be it

Resolved, That the Senate of the Commonwealth of Pennsylvania urge the Congress of the United States to modernize the Federal cap on the locally set PFC user fee by setting it at \$8.50 and adjusting it periodically to offset the impacts of inflation; and be it further

Resolved, That a copy of this resolution to be sent to the President of the United States, the presiding officers of each house of

Congress and to each member of Congress from Pennsylvania.

POM-150. A joint memorial adopted by the Legislature of the State of Idaho urging the United States Congress to ensure the continued appropriation of watercraft inspection station funding in the fiscal year 2017 budget to significantly enhance aquatic invasive species prevention efforts and to implement the intent of the Water Resources Reform and Development Act; to the Committee on Environment and Public Works.

SENATE JOINT MEMORIAL NO. 104

Whereas, maintaining a healthy suite of economic, environmental and social ecosystem services in aquatic systems is integral to the quality of life in the State of Idaho; and

Whereas, healthy aquatic habitats provide clean drinking water, flood control, transportation, recreation, purification of human and industrial wastes, power generation, habitat for native plants and animals, production of fish and other foods, marketable goods and cultural benefits; and

Whereas, Dreissenid mussels, specifically quagga mussels (*Dreissena rostriformis bugensis*) and zebra mussels (*Dreissena polymorpha*), are aquatic invasive species that cause irreparable ecological damage to many waters in the United States; and

Whereas, Dreissenids have not yet been detected in the Pacific Northwest. The estimated annual cost to address established populations of Dreissenids in the Pacific Northwest Economic Region is almost \$0.5 billion annually; and

Whereas, the Water Resources Reform and Development Act was signed in June 2014. Section 1039 of the act authorizes \$20 million for Columbia River Basin watercraft inspection stations to prevent introduction of Dreissenid mussels and other aquatic invasive species through the Secretary of the Army; and

Whereas, the fiscal year 2016 budget for the United States Army Corps of Engineers includes \$4 million in funding for watercraft inspection stations as authorized by the Water Resources Reform and Development Act, and the State of Idaho and Pacific Northwest Economic Region are grateful for the Corps' recognition of the severity of the threat of aquatic invasive species to the region and dedication to assist the region in enhancing prevention efforts: Now, therefore, be it

Resolved, By the members of the Second Regular Session of the Sixty-third Idaho Legislature, the Senate and the House of Representatives concurring therein, that we respectfully request that Congress ensure the continued appropriation of these funds in the fiscal year 2017 budget to significantly enhance aquatic invasive species prevention efforts and to implement the intent of the Water Resources Reform and Development Act; and be it further

Resolved, That the Secretary of the Senate be, and she is hereby authorized and directed to forward a copy of this Memorial to the President of the United States, the Secretary of the Army, the Secretary of the Interior, the President of the Senate and the Speaker of the House of Representatives of Congress, and the congressional delegation representing the State of Idaho in the Congress of the United States.

POM-151. A resolution adopted by the House of Representatives of the State of Ohio encouraging the President of the United States, the United States Congress, and the United States Office of Management and Budget to support plans to upgrade the Soo Locks at Sault Ste. Marie, Michigan,

and encourage the United States Army Corps of Engineers to take expeditious action in preparing an Economic Reevaluation Report; to the Committee on Environment and Public Works.

HOUSE RESOLUTION NUMBER 263

Whereas, The Soo Locks at Sault Ste. Marie, Michigan, are of the utmost importance to Ohio and play a critical role in the nation's economy and security. Each year, approximately 10,000 Great Lakes vessels, carrying 80 million tons of iron ore, coal, grain, and other cargo, safely and efficiently traverse the locks; and

Whereas, Nearly 80% of all domestic iron ore, the primary material used to manufacture steel, travels from mines in Minnesota and Michigan's Upper Peninsula through the Soo Locks to steel producers in Ohio; and

Whereas, Only one of the four Soo Locks, the Poe Lock, is large enough to accommodate the modern vessels that commonly traverse the Great Lakes. 70% of cargo is carried on these large ships that can only pass through the Poe Lock, and the remaining cargo must pass through the smaller MacArthur Lock. The 100-year-old Davis and Sabin Locks are rarely used as they are the smallest locks and cannot accommodate large modern vessels; and

Whereas, The continued reliance on only the Poe Lock poses a serious risk to national security and the economies of not only the State of Ohio, but also the entire country. A long-term outage of the Poe Lock due to lock failure or a terrorist attack could cripple the economy and disrupt steel production in the United States. It is estimated that a 30-day outage of the Poe Lock would result in economic losses of \$160 million; and

Whereas, Upgrades to the Soo Locks are needed to ensure national security and unfettered commerce through the Great Lakes. The United States Army Corps of Engineers acknowledges that the Soo Locks are a single point of failure for the Great Lakes Navigation System; and

Whereas, The United States Congress has authorized the construction of a second Poe-sized lock, but a study that contains crucial errors is preventing the construction from proceeding: Now, therefore, be it

Resolved, That we, the members of the House of Representatives of the 131st General Assembly of the State of Ohio, encourage the President and the Congress of the United States and the United States Office of Management and Budget to support plans to upgrade the Soo Locks at Sault Ste. Marie, Michigan; and be it further

Resolved, That we encourage the United States Army Corps of Engineers to take expeditious action in acknowledging the national security need for maintaining the Great Lakes Navigation System in addition to properly accounting for the limitation of transportation resources if a lock outage occurs in the preparation of an Economic Reevaluation Report; and be it further

Resolved, That the Clerk of the House of Representatives transmit duly authenticated copies of this resolution to the President of the United States, the President Pro Tempore and Secretary of the United States Senate, the Speaker and Clerk of the United States House of Representatives, the members of the Ohio congressional delegation, the Director of the United States Office of Management and Budget, and the Assistant Secretary of the Army for Civil Works.

POM-152. A joint resolution adopted by the Legislature of the State of Wyoming urging the United States Congress to seek removal of the gray wolf and grizzly bear populations from listing under the Endangered Species Act and to assist in funding programs and

services for gray wolf and grizzly bear management; to the Committee on Environment and Public Works.

HOUSE JOINT RESOLUTION 4

Whereas, gray wolf and grizzly bear predation on livestock and big game species is resulting in economic losses in the state of Wyoming; and

Whereas, the cost to manage gray wolves and grizzly bears and to compensate individuals and entities for damage caused by these species is significantly greater than can be sustained through existing budgets of the responsible state and federal agencies; and

Whereas, gray wolf and grizzly bear populations are recovered and these species should therefore be removed from the list of experimental nonessential population, endangered species or threatened species in Wyoming in order for the state to effectively manage these species; and

Whereas, federal funding is essential to assist the state in compensating individuals and entities for losses caused by gray wolves and grizzly bears now and after the date these species are removed from the list of experimental nonessential population, endangered species or threatened species in Wyoming; and

Whereas, such federal support in compensating individuals and entities for losses will increase acceptance of these wildlife species in Wyoming and continue the healthy and self-sustaining populations of gray wolves and grizzly bears in the state: Now, therefore, be it

Resolved, by the Members of the Legislature of the State of Wyoming:

Section 1. That the Wyoming legislature calls on Congress and the United States Fish and Wildlife Services to speedily seek removal of the gray wolf and grizzly bear populations from the list of experimental nonessential population, endangered species or threatened species in Wyoming, by all means available.

Section 2. That the Wyoming legislature calls on Congress to immediately and fully fund all necessary programs and services for gray wolf and grizzly bear management, particularly programs and services to compensate individuals and entities for losses caused by these wildlife species.

Section 3. That the Wyoming legislature calls on Congress to assist in funding the necessary programs and services indicated in section 2 of this resolution after the date the gray wolf and grizzly bear populations are removed from the list of experimental nonessential population, endangered species or threatened species in Wyoming.

Section 4. That the Secretary of State of Wyoming transmit copies of this resolution to the President of the United States, to the President of the Senate and the Speaker of the House of Representatives of the United States Congress, to the Wyoming Congressional Delegation and to the Director of the United States Fish and Wildlife Service.

POM-153. A resolution adopted by the Senate of the State of Michigan supporting the recommendations of the Chicago Area Waterway System Advisory Committee to prevent Asian carp from entering the Great Lakes; to the Committee on Environment and Public Works.

SENATE RESOLUTION NO. 12

Whereas, The Chicago Area Waterway System serves as a pathway for aquatic invasive species to move between the Great Lakes and Mississippi River basins. Zebra mussels and other species spread from the Great Lakes to the Mississippi River and its tributaries through this man-made connection. Now, Asian carp are on the brink of using this same route to invade the Great Lakes from the Mississippi River basin; and

Whereas, Asian carp continue to migrate upstream and are now within a day's swim of Lake Michigan. In the last year, juvenile Asian carp have moved 66 miles closer to Lake Michigan, leaving them only 76 miles from the Great Lakes. While electrical barriers currently stand in their way, new research indicates that those barriers may not be effective at stopping small fish; and

Whereas, The impacts of Asian carp to the ecosystems and economies of the Great Lakes states and local communities will be catastrophic. Invasive species established in the Great Lakes already cost the region more than \$100 million per year. Asian carp could add dramatically to this cost if they move through the Chicago area into the Great Lakes. These carp are voracious filter feeders and could out-compete the native fish of the Great Lakes, threatening a \$7 billion sport and commercial fishery. History has demonstrated that, once established, aquatic invasive species like Asian carp are nearly impossible to eradicate; and

Whereas, The Chicago Area Waterway System Advisory Committee was formed in May 2014 with the goal of reaching consensus on a set of recommendations for elected and appointed local, state, and federal officials and the public on short- and long-term measures to prevent Asian carp and other aquatic invasive species from moving between the Great Lakes and Mississippi River basins through the Chicago Area Waterway System; and

Whereas, The diverse, 32-member advisory committee reached consensus in a letter to the President of the United States on a specific system of control points to prevent the two-way interbasin transfer of aquatic invasive species. It also reached consensus on supporting immediate actions at the Brandon Road Lock and Dam in Joliet, Illinois, to prevent the risk of Asian carp from migrating upstream while the system of control points is evaluated as a long-term solution for all aquatic invasive species; and

Whereas, The best long-term solution will prevent Asian carp from entering the Great Lakes while preserving as much as possible the current uses of the Chicago area waterways. Options that would change shipping on these waterways should only be pursued after all other options have been exhausted; and

Whereas, The costs of preventing Asian carp from entering the Great Lakes are substantially lower than the costs to the ecosystems and economies of the Great Lakes states if Asian carp were to become established: now, therefore, be it

Resolved by the Senate, That we support the Chicago Area Waterway System Advisory Committee recommendations to implement immediate control technologies at Brandon Road Lock and Dam in Joliet, Illinois, and to further investigate the specific system of control points for long-term movement of aquatic invasive species into and out of the Great Lakes; and be it further

Resolved, That copies of this resolution be transmitted to the President of the United States, President of the United States Senate, the Speaker of the United States House of Representatives, the members of the Michigan congressional delegation, and the Commanding General and Chief of Engineers of the United States Army Corps of Engineers.

POM-154. A resolution adopted by the House of Representatives of the State of Michigan memorializing the United States Congress to take actions necessary to help families enduring mental health crisis; to the Committee on Health, Education, Labor, and Pensions.

HOUSE RESOLUTION NO. 169

Whereas, According to the Centers for Disease Control and Prevention, mental illness is defined as "health conditions that are characterized by alterations in thinking, mood, or behavior (or some combination thereof) associated with distress and/or impaired function." The National Institute of Mental Health states, "while mental disorders are common in the United States, the burden of illness is particularly concentrated among those who experience disability due to serious mental illness (SMI)"; and

Whereas, Laws, regulations, and misinterpretations frequently shut out families attempting to get effective and appropriate treatment for their loved ones in a mental health crisis. In a given year, approximately ten million Americans endure serious mental illness, such as schizophrenia, major depression, or bipolar disorder. Approximately four million Americans battle with serious mental illness do not receive treatment in a given year; and

Whereas, Families struggling with mental illness must also grapple with the likelihood that their loved one will end up in jail or prison where there is virtually no mental health treatment. There are ten times more individuals with serious mental illness in jails and prisons than in state psychiatric hospitals. Moreover, federal laws and billing policies restrict the ability of persons on Medicaid to receive high-quality inpatient and outpatient mental health treatment; and

Whereas, Current spending needs to be more focused on the most effective services and most severe mental illnesses. Passage of federal legislation like the Helping Families in Mental Health Crisis Act of 2015 (H.R. 2646), sponsored by United States Congressman Tim Murphy of Pennsylvania, would be a positive first step. The bill would create a new Assistant Secretary for Mental Health and Substance Use Disorders to coordinate funding between agencies, collect increased data on treatment outcomes, and drive evidence-based care: Now, therefore, be it

Resolved, by the House of Representatives, That we memorialize the Congress of the United States to take actions necessary to help families enduring mental health crisis; and be it further

Resolved, That copies of this resolution be transmitted to the President of the United States Senate, the Speaker of the United States House of Representatives, and the members of the Michigan congressional delegation.

POM-155. A joint memorial adopted by the Legislature of the State of Idaho urging the United States Congress to restructure the United States Postal Service in a way that would reopen shuttered mail processing plants throughout the nation and provide acceptable delivery times; to the Committee on Homeland Security and Governmental Affairs.

SENATE JOINT MEMORIAL NO. 105

Whereas, the mail processing function of the post office in Pocatello, Idaho, was closed on or about April 19, 2015; and

Whereas, Brian Sperry, the regional spokesman for the United States Postal Service (USPS) stated that the impacts would be that stamped "First-Class Mail" would take between two and three days to reach its destination; and

Whereas, mail delivery in eastern Idaho is now significantly delayed, with delays ranging from a few days up to a few weeks; and

Whereas, USPS has already closed or suspended services in many locations nationwide, including in Twin Falls, Idaho, and is considering closing more; and

Whereas, USPS can provide better delivery times while still cutting substantive costs by

restructuring its pre-funding for retirement benefits: Now, therefore, be it

Resolved, By the members of the Second Regular Session of the Sixty-third Idaho Legislature, the Senate and the House of Representatives concurring therein, that Congress should pass legislation that would direct USPS to restructure their budget priorities, rethink their administrative model, make appropriate budget cuts if necessary, focus on customer service and acceptable delivery times, and reopen shuttered mail processing plants throughout the United States; and be it further

Resolved, That the Secretary of the Senate be, and she is hereby authorized and directed to forward a copy of this Memorial to the President of the Senate and the Speaker of the House of Representatives of this Congress, and the congressional delegation representing the State of Idaho in the Congress of the United States.

REPORTS OF COMMITTEES

The following reports of committees were submitted:

By Mr. KIRK, from the Committee on Appropriations, without amendment:

S. 2806. An original bill making appropriations for military construction, the Department of Veterans Affairs, and related agencies for the fiscal year ending September 30, 2017, and for other purposes (Rept. No. 114-237).

By Mr. COCHRAN, from the Committee on Appropriations:

Special Report entitled "Allocation to Subcommittees of Budget Totals for Fiscal Year 2017" (Rept. No. 114-238).

By Mr. ALEXANDER, from the Committee on Health, Education, Labor, and Pensions, with an amendment in the nature of a substitute:

S. 185. A bill to create a limited population pathway for approval of certain antibacterial drugs.

S. 1622. A bill to amend the Federal Food, Drug, and Cosmetic Act with respect to devices.

S. 2700. A bill to update the authorizing provisions relating to the workforces of the National Institutes of Health and the Food and Drug Administration, and for other purposes.

S. 2713. A bill to provide for the implementation of a Precision Medicine Initiative.

S. 2742. A bill to amend title IV of the Public Health Service Act regarding the national research institutes, and for other purposes.

S. 2745. A bill to amend the Public Health Service Act to promote the inclusion of minorities in clinical research, and for other purposes.

EXECUTIVE REPORTS OF COMMITTEE

The following executive reports of nominations were submitted:

By Mr. HATCH for the Committee on Finance.

*Andrew LaMont Eanes, of Kansas, to be Deputy Commissioner of Social Security for the term expiring January 19, 2019.

*Vik Edwin Stoll, of Missouri, to be a Judge of the United States Tax Court for a term of fifteen years.

*Elizabeth Ann Copeland, of Texas, to be a Judge of the United States Tax Court for a term of fifteen years.

*Nomination was reported with recommendation that it be confirmed subject to the nominee's commitment to